Dear Jim and Howard,

4/23/77

I have not said all I can about the attached Fruden letter or in response to it. For example, how could Peurifoy say the AG knew without some record. How could an FBI agent have been informed without still another record? Neither have been provided.

I don't know what records of this I still have. I do know who I worked with after I worked out a defense for us, as I had to after whipping most of the others into human erection, sommon respect for the backbone we were all born with. It is Milton Freedman of the firm now Arnold & Porter. (Abe Fortas was not only a named partner, he was important in all of this. Some years ago I wrote Milton about at least the decoration General Wild Bill Donovan gave me. I gace Milton my only copy before xeroxing.

But those records should include the results of an investigation I then conducted. I remember some. What I remember makes Peurifoy and the Department, which is responsible for him, but more repugnant and less human.

General Marshall earned what Joe McCarthy did to him. He allowed himself to be blackmailed by the House Appropriations Committee. It was chaired by a de facto nazi named john aber of New York. It was dominated by an Ameriform Nazi named Harold Barger, of the staff. My best source then was one much in my debt besides being a personal friend, the late Paul Richman. Paul had been a rabbi. He was then head of the Washington office of the B'nai Broth's Anti-Defamation League. Paul, a conservative, used to cal, me a one-man ADL. He was this good a friend: when I wanted a Jewish religious marriage to satisfy my grandmother and my mother, in addition to the years old actual marriage to Lil and when this was not in accord with Judaic practice and belief Paul found a ribbi for me.

Peurifoy's letter says 11. The stories of the time said 10. Of these 10 all were Jews except one or two married to Jews. Thus the separate ADL interest. So there will be ADL fiesl, if not in Washington, especially after the Hanafi trashing, then in New York.

I go into thos now partly because of out yesterday's discussion (Jim's and mine, Howard, about my estate) and partly because I think this Peurifoy letter makes other redress possible.

It not only exceeds any official need- it specifies the excesses. It is, in fact, an extra-legal effort to pressure the AG into filing non-existing criminal charges against us. Let the Department now claim Peurifoy was insane. They have been silent on his perhaps to be alleged insanity for three decades. Longer than Howard has been alive.

What they have not y et gotten to is the UnAmerican committee. It was involved, if in an exceptional way - through an investigator who was a woman, whether or not she was an investigator, I had known in high school and college. The UnAmericans sent her around to the radio station for which I worked then, the Washington good-music station. So I left and became a farmer. Until the government could not keabe me alone there. Her name, maiden as of then, years later, was Eleanor Matson. Shapely in body if not in mind. I recall when we were in dress rehearsal for the senior class play and I called on stage to her that her petticoat was showing she responded fresh! It is a slip. That showed.

Small world, like Guatemala is part of a small world.

Anyway, I think this Peurifoy letter alone is actionable. It is, from its own contents, without need. It is an effort to go beyond the unConstotutional law of the day to continue a persecution that never had any rational basis, a persecution that succeeded. On the one hand it is the official act of the State Department, through a duly accredited official, yet on the other hand it is so utterly and completely baseless the Department after all these years and efforts has come up with no relevant records. None can exist. The plain and simple fact is that I was what you could call a British agent, not a Russian agent. And Justice knew it because it asked me to work with the British.

I know of no obligation imposed on the Depart ment of State or any of its authorized agents, which Peurifoy sure as hell was, to persecute me.

In the event I cannot make the decision and it is up to the two of you to do it and in the event it is possible for you to do it, it is my desire that you pursue this in whatever way you consider proper and to whatever you decide is the right end. This has reduced the estate I leave to you to administer and it has been an intrusion into my life and my ability to do the work I have undertaken.

So there will be others who know this is my desire I am sending copies of Les Payne, Dave Wrone and Hollywood Paul, asking them to keep it with the postmarked envelope if the cancellation is visibly dated.

So Howard will know, yesterday Jim and I discussed the formalization of the estate and my intentions, which have always been to create it in my lifetime, as prior writings show. This dates to before my illnesses, when I did enter into a verbal agreement with the Wisconsin Historical Association, subject to the continuing reservation only, that I would have to accept any other offer that included meaningful assistance during my lifetime. Jim has not been able to find time to get the proper papers prepared for my signature.

However, last November, as indication of my intent, I did make a token deposit at Stevens Point. I then saw to it that there were newspaper stories reporting this intent. I am confident it also is in the tapes of what I then said. The Stevens Point paper does have the story, as my files also do.

Best,